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Dated: January 11, 2005

Signature: 

(Kevin M. Kocun, Patent Agent)

Docket No.: SPINE 3.0-455 CIP CONT II  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Zubok et al.

Application No.: 10/781,504

Group Art Unit: 3732

Filed: February 18, 2004

Examiner: Not Yet Assigned

For: INSTRUMENTATION AND METHODS FOR  
USE IN IMPLANTING A CERVICAL DISC  
REPLACEMENT DEVICE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

It is respectfully requested that the references listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: January 11, 2005

Respectfully submitted,

By 

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PTO/SB/08a/b (08-03)

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Substitute for form 1449A/B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/781,504-Conf. #2919
Filing Date	February 18, 2004
First Named Inventor	Rafail Zubok
Art Unit	3732
Examiner Name	Not Yet Assigned
Attorney Docket Number	SPINE 3.0-455 CIP CONT II

Sheet	1	of	2
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**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-2002/0082701-A1	06-27-2002	Zdedblich et al.	
	AB	US-2002/0107571-A1	08-08-2002	Foley	
	AC	US-2003/0028249-A1	02-06-2003	Bacelli et al.	
	AD	US-2003/0060886-A1	03-27-2003	Van Hoeck et al.	
	AE	US-2003/0074064-A1	04-17-2003	Gerbac et al.	
	AF	US-2003/0078668-A1	04-24-2003	Michelson	
	AG	US-2003/0109928-A1	06-12-2003	Pasquet et al.	
	AH	US-2003/0125748-A1	07-03-2003	Li et al.	
	AI	US-2003/0149482-A1	08-07-2003	Michelson	
	AJ	US-2003/0167092-A1	09-04-2003	Foley	
	AK	US-2003/0199983-A1	10-23-2003	Michelson	
	AL	US-2003/0216744-A1	11-20-2003	Longhini et al.	
	AM	US-2003/0229397-A1	12-11-2003	Davis	
	AN	US-2003/0233097-A1	12-18-2003	Ferree	
	AO	US-2004/0002761-A1	01-01-2004	Christopher Rogers	
	AP	US-2004/0006343-A1	01-08-2004	Sevrain	
	AQ	US-2004/0024459-A1	02-05-2004	Ferree	
	AR	US-2004/0030389-A1	02-12-2004	Bret Ferree	
	AS	US-2004/0030390-A1	02-12-2004	Ferree	
	AT	US-3,486,505	12-30-1969	G. M. Morrison	
	AU	US-4,997,432	03-05-1991	Keller	
	AV	US-5,122,130	06-16-1992	Keller	
	AW	US-5,314,477	05-24-1994	Marnay	
	AX	US-5,401,269	03-28-1995	Buttner-Janz et al.	
	AY	US-5,425,773	06/1995	Boyd et al.	
	AZ	US-5,458,641	10-17-1995	Ramirez Jimenez	
	AA1	US-5,507,816	04-16-1996	Bullivant	
	AB1	US-5,556,431	09/1996	Buttner-Janz, Karin	
	AC1	US-5,562,738	10/1996	Boyd et al.	
	AD1	US-5,674,296	10/1997	Bryan et al.	
	AE1	US-5,676,701	10/1997	Yuan et al.	
	AF1	US-5,720,751	02-24-1998	Jackson	
	AG1	US-5,865,846	02/1999	Bryan et al.	
	AH1	US-5,888,223	03-30-1999	Robert S. Bray Jr.	
	AI1	US-5,899,941	05/1999	Nishijima.	
	AJ1	US-6,019,792	02/2000	Cauthen.	
	AK1	US-6,039,763	03/2000	Shelokov, Alexis P.	
	AL1	US-6,093,205	07-25-2000	Mcleod et al.	
	AM1	US-6,093,207	07-25-2000	Pisharodi	
	AN1	US-6,096,080	08-01-2000	Nicholson et al.	
	AO1	US-6,113,602	09-05-2000	Sand	
	AP1	US-6,113,637	09-05-2000	Gill et al.	
	AQ1	US-6,113,638	09-05-2000	Williams et al.	
	AR1	US-6,146,421	11/2000	Gordon et al.	
	AS1	US-6,179,873-B1	01-30-2001	Zientek	
	AT1	US-6,179,874	01/2001	Cauthen.	

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
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				Art Unit	3732
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	SPINE 3.0-455 CIP CONT II

	AU1	US-6,228,118	05/2001	Gordon, Dennis P.	
	AV1	US-6,241,769-B1	06-05-2001	Nicholson et al.	
	AW1	US-6,368,350	04/2002	Erickson et al.	
	AX1	US-6,461,359-B1	10-08-2002	Tribus et al.	
	AY1	US-6,517,580-B1	02-11-2003	Ramadan et al.	
	AZ1	US-6,524,312-B2	02-25-2003	Landry et al.	
	AA2	US-6,540,785-B1	04-01-2003	Gill et al.	
	AB2	US-6,582,466-B1	06-24-2003	Gauchet et al.	
	AC2	US-6,582,468-B1	06-24-2003	Gauchet et al.	
	AD2	US-6,610,093-B1	08-26-2003	Pisharodi	
	AE2	US-6,652,533-B2	11-25-2003	O'neil	
	AF2	US-6,679,915-B1	01-20-2004	Cauthen	
	AG2	US-6,682,562-B2	01-27-2004	Viart et al.	
	AH2	US-6,706,068	03/2004	Ferree, Bret A.	
	AI2	US-6,716,245-B2	04-06-2004	Pasquet et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

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